

ORDINANCE NO. 14-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a 10-foot utility and drainage easement; that the applicants have represented to the City of Huntsville that Warren D. Scalf and wife, Linda J. Scalf, are the owners of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA

COUNTY OF MADISON

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF HUNTSVILLE, a municipal corporation, hereinafter referred to as Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by WARREN D. SCALF and wife, LINDA J. SCALF, hereinafter referred to as Grantees, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantees all of its right, title, interest, and claim in and to the easements upon the following described real estate situated in the County of Madison, State of Alabama, to-wit:

See attached EXHIBIT "A," which is hereby incorporated herein.

TO HAVE AND TO HOLD the same unto the said Grantees, their heirs and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this ____ day of _____, 2014.

**CITY OF HUNTSVILLE, ALABAMA,
an Alabama municipal corporation**

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of the CITY OF HUNTSVILLE, an Alabama municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they, as such officers and with full authority, executed the same for and as the act of said City of Huntsville, an Alabama municipal corporation, as of the day the same bears date.

Given under my hand and official seal this the ____ day of _____, 2014.

NOTARY PUBLIC
My commissioner expires: _____

THIS INSTRUMENT PREPARED BY:
Samuel H. Givhan
WILMER & LEE, P.A.
100 Washington Street
Huntsville, Alabama 35801

EXHIBIT "A"

**STATE OF ALABAMA
MADISON COUNTY**

**SCALF EASEMENT
771 SQUARE FEET**

ALL THAT PART OF LOT 16 OF A RESUBDIVISION OF LOTS 16 AND 17 OF GRANDE HIGHLANDS ESTATES, A RESUBDIVISION OF GRANDE HIGHLANDS THIRD ADDITION AND A RESUBDIVISION OF PART OF TRACT A-13 & A 14 OF HAMPTON SUBDIVISION PAGE 3 OF 5 (PB 29, PG 37) AS RECORDED IN PLAT BOOK 48, PAGE 22 AND RECORDED AS INSTRUMENT NUMBER 20140423000209660 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 16; THENCE, ALONG THE WEST BOUNDARY OF SAID LOT 16 AND THE EAST BOUNDARY OF LOT 17 OF SAID RESUBDIVISION, SOUTH 30 DEGREES 42 MINUTES 16 SECONDS EAST 108.32 FEET; THENCE, INTO SAID LOT 16, NORTH 65 DEGREES 25 MINUTES 25 SECONDS EAST 5.03 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, ALONG THE EAST BOUNDARY OF AN OLD 10-FOOT UTILITY AND DRAINAGE EASEMENT, NORTH 18 DEGREES 26 MINUTES 53 SECONDS WEST (STATE PLANE BEARINGS, ALABAMA EAST ZONE, NAD 1983) 100.95 FEET TO THE SOUTH MARGIN OF A 10-FOOT UTILITY AND DRAINAGE EASEMENT WHICH LIES ALONG THE SOUTH MARGIN OF MUIRWOODS DRIVE; THENCE, ALONG SAID BOUNDARY OF SAID EASEMENT, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 240.00 FEET, THE CHORD BEARING AND DISTANCE BEING SOUTH 61 DEGREES 39 MINUTES 11 SECONDS WEST 10.15 FEET TO THE WEST BOUNDARY OF THE OLD 10-FOOT UTILITY AND DRAINAGE EASEMENT; THENCE, ALONG THE WEST BOUNDARY OF THE OLD EASEMENT, SOUTH 18 DEGREES 26 MINUTES 53 SECONDS EAST 53.17 FEET TO THE EAST BOUNDARY OF THE NEW 10-FOOT UTILITY AND DRAINAGE EASEMENT WHICH LIES 5 FEET ON EACH SIDE OF THE NEW LOT LINE; THENCE, ALONG THE EAST BOUNDARY OF THE NEW EASEMENT, SOUTH 30 DEGREES 42 MINUTES 16 SECONDS EAST 47.11 FEET TO THE POINT OF BEGINNING, CONTAINING 771 SQUARE FEET, MORE OR LESS.

Ordinance No. 14-_____ (Cont.)
Warren and Linda Scalf

ADOPTED this the 24th day of July, 2014.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 24th day of July, 2014.

Mayor of the City of
Huntsville, Alabama